

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARTA JO HIESHETTER,)	
Plaintiff,)	
)	No. 1:14-cv-176
-v-)	
)	HONORABLE PAUL L. MALONEY
AARON SAWYER, et al.,)	
Defendants.)	
_____)	

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff Marta Jo Hieshetter filed a *pro se* complaint against six defendants under 42 U.S.C. § 1983. This matter comes before the Court on Plaintiff's objections (ECF No. 5) to a Report and Recommendation ("R&R") (ECF No. 4) issued by the magistrate judge. The R&R recommended that the Court dismiss five of the six defendants in this action: Plaintiff's ex-husband, John Hieshetter; state circuit court Judge G. Patrick Hillary; court reporter Nicole Ludge; the State of Michigan; and Michigan's attorney general, Bill Schuette. For the reasons outlined below, Plaintiff's objections are **OVERRULED** and the Report and Recommendation is **ADOPTED** as the opinion of this court.

After being served with a report and recommendation (R&R) issued by a magistrate judge, a party has fourteen days to file written objections to the proposed findings and recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). A district court judge reviews *de novo* the portions of the R&R to which objections have been filed. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Only those objections that are specific are entitled to a de novo review under the statute. *Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986) (per curiam) (holding the district court need not provide de novo review where the objections are frivolous, conclusive or too general because the burden is on the parties to "pinpoint those portions of the magistrate's report that the district court must specifically

consider”). Failure to file an objection results in a waiver of the issue and the issue cannot be appealed. *United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005); *see also Thomas v. Arn*, 474 U.S. 140, 155 (upholding the Sixth Circuit’s practice). The district court judge may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

The Court finds the Report and Recommendation accurately states the applicable facts and correctly applies the relevant law. Plaintiff’s general, hyperbolic complaints about well-established principles of governmental immunity and federalism are insufficient to state an objection to the R&R that is entitled to this Court’s review. Plaintiff has not met her burden to pinpoint the portions of the R&R that she believes are incorrect or explain the bases for her objections. *Mira*, 806 F.2d at 637.

Accordingly, the Petitioner’s objections (ECF No. 5) are **OVERRULED** and the magistrate judge’s Report and Recommendation (ECF No. 4) is **ADOPTED** as the opinion of this court. Defendants John Lawrence Hieshetter, Nicole Ludge, Hon. G. Patrick Hillary, the State of Michigan, and Bill Schuette are **DISMISSED**.

IT IS SO ORDERED.

Date: May 8, 2014

/s/ Paul L. Maloney
Paul L. Maloney
Chief United States District Judge